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E. Post, a

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Post asked his 50 students whether downloading music off the Internet was tantamount to stealing.

Most, he said, thought it was OK to copy songs and whole albums via Napster without a second thought.

"The other side of the divide" — the few who disagreed — "was troubled by the practice," Post added.

technophiles everywhere, and Napster fans insist they're actually staking out the moral high ground as they download the music as fast as they can.

Post says young Americans sympathize with an antiexploitation principle, and see Napster as a protest against the soaring prices being charged by record companies and promoters for albums and concert tickets.

"This is America," declared Eric Meffert, a 28-year-old account manager at The Bradford Group, a staff-

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## City aide in hot water because tenant is not

By Katherine Zezima

GLOBE CORRESPONDENT

Lincoln Smith, the City Council's chief researcher, will be arraigned March 9 on charges that he let a tenant live without hot water for almost two months, a situation Smith says the tenant inflicted upon herself.

Palmira Williams, who lives on the third floor of a house Smith owns at 11 Newport St. in Dorchester, said she hasn't had hot water since Jan. 7.

To bathe, Williams, 56, fills a large pot with water, boils it, and carries it into the bathroom to mix with the cold water in her tub. Williams said she has had several back surgeries and suffers from diabetes. Washing dishes with icy

water exacerbates her arthritis pains, she said, and stiffens her arms and elbows, which contain steel pins.

"Life is miserable," Williams said. "I cry sometimes and ask myself why. I'm a sick person and can't live without hot water. I don't know why this happened. I just want my water back."

This is the third complaint filed about Smith since December. Another resident of the same Dorchester three-decker, 73-year-old Elizabeth O'Shea, said she was left without heat for five days over Christmas weekend.

Smith is no stranger to controversy. In 1998 he was named by Inspectional Services to a list of

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trators have spent the past month trying to figure out how Sonuga's original \$750,000 bail got slashed.

Yesterday, a Boston Police Department official said the error occurred when a police officer was typing the handwritten notes of a bail commissioner into the computer and left off the last three zeroes.

"That was a mistake made on our behalf," said James Hussey, superintendent-in-chief. "We had an officer who looked at that handwritten number who didn't use a comma and used a decimal point instead."

Hussey said the department is still investigating, and isn't yet sure who made the error that freed Sonuga, 44.

The admission came after Chief Justice Suzanne DelVecchio of the Superior Court

Sonuga was arrested in the South End Jan. 12, after police received a tip that he was sitting in his car. Police found two stolen checks worth \$18,000 in his car. Sonuga was allegedly carrying various forms of identification under several names.

Since Sonuga had two outstanding arrest warrants, he should not have been released on any amount of bail. But Hussey said that information had not been entered into the state's warrant management system. Police, he said, are not responsible for maintaining that system.

Another mistake was made the day Sonuga was arrested. His booking sheet lists his ethnicity as white — just below a picture of Sonuga, a Nigerian.



Palmira Williams washing with water she warmed on the stove in her Dorchester apartment.

GLOBE STAFF PHOTO/PAT GREENHOUSE

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For teenagers like David Bender and Adam Wrightington, seeking new and innovative ways to buck the system is as natural as skateboarding hard across the sidewalks of the financial district. They think music money hardly

the music industry, they say, should reign supreme.

"You shouldn't be charged for music," said Bender, 16. "That's morally wrong."

Both teens say they will continue to download their favorite songs as a matter of principle.

bridge-based digital entertainment research firm, 250 million songs were downloaded the week-end just before the Feb. 12 ruling against Napster; 150 million were downloaded that Sunday alone. And just this past Monday, 96 million songs were saved to users'

since September," said a Webmoize executive. "Due to the count young and old, people who, like looters in a riot, are desperate to grab every song before the clock runs out."

## City aide lands in hot water

► **LANDLORD**  
*Continued from Page B1*

the city's worst landlords. That year he was cited for numerous maintenance violations and did not appear at his trial in Housing Court until he showed up on a list of 48 landlords with outstanding warrants.

Smith has been at odds with some city agencies for almost 15 years. In 1986 he was fired by former city personnel chief Robert Consalvo.

In 1990, Smith was awarded a \$142,000 settlement for being fired illegally, and in 1996, after the verdict held up on appeal, Smith was rehired.

Smith's boss, City Council President Charles C. Yancey, yesterday denied any knowledge of Smith's record as a trouble-prone landlord — even though he said when he first took office Jan. 1 that he would investigate the Smith situation within two weeks.

On Jan. 9, Williams called the city's Inspectional Services Department, which issued an emergency violation order stating that the hot water heater was not in working order and that the knob had been turned off, and requiring that the unit be fixed.

When the violations were not corrected the following day, Inspectional Services recommended prosecution of the landlord.

Spokesman John Dorsey said inspectors went back to the house three days ago to check on another violation, which had been fixed, and found that Williams's hot wa-



GLOBE STAFF PHOTO/PAT GREENHOUSE

**Palmira Williams has been without hot water for nearly two months in her Dorchester apartment owned by Lincoln Smith.**

ter was still not restored.

City inspectors plan to return again on Wednesday.

"We try in good faith to work with landlords, but sometimes there are violations that endanger a tenant, such as having no hot water," Dorsey said. "It's a basic need to have in an apartment for washing, bathing, and cleaning."

Smith said that Williams turned the hot water heater off herself, to avoid eviction for overdue rent.

"It's her way of prolonging her tenancy," Smith said. "If there's an outstanding code violation, you can't start an eviction process."

According to Smith, Williams in the past has refused to allow

contractors into her apartment to make repairs and has repeatedly left trash on her porch.

In a letter dated Jan. 25, Smith wrote to Williams to tell her it was "imperative" that immediate access be granted for repairs upon 24-hour notice.

A hearing in Boston Housing Court is scheduled for March 2.

Smith also pointed out a Jan. 6 police report stating that Williams was "uncooperative with officers" when they arrived at her apartment in response to her call. On that day, Smith had appeared, unannounced, on the porch.

Williams says she thinks that's when Smith turned her hot water heater off.

## Six people in New Bedford charged

ASSOCIATED PRESS

NEW BEDFORD has been charged and five others have in connection with the death of a young man.

Police say George, 45, was beaten to death in 1996 as he was fixing a car. A man who was with him at the time called police when they arrived and attacked the two men.

Robert H. Tirard of New Bedford, was arrested Thursday and charged with murder, battery, and malicious destruction of personal property. Charged with being an accessory to murder were Ryan

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